



Building  
Performance  
Institute, Inc.



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TO: U.S. Environment Protection Agency

FROM: Building Performance Institute, Inc.

DATE: May 17, 2019

RE: Request for Comments: Draft revised Verification Oversight Organization (VOO) Application

Building Performance Institute, Inc. (BPI) is pleased to submit the following comments regarding the U.S. Environmental Protection Agency's (EPA)'s for the proposed Verification Oversight Organization (VOO) Application for the ENERGY STAR Certified Homes Program. BPI developed these comments and recommendations in view of the potential impact the proposed application would have on potential VOOs and supporting companies that rely on the ENERGY STAR Certified Homes Program across the country.

The Building Performance Institute (BPI) is the nation's premier certification and standard-setting organization for home performance professionals. BPI is accredited by the American National Standards Institute, Inc. (ANSI) as a developer of American National Standards and as a certifying body for personnel credentials. BPI develops the technical standards for home energy audits and for energy efficiency, health, and safety improvements. From these standards, BPI develops rigorous written and field exams resulting in one of BPI's 14 professional certifications. BPI also offers 3 programs (BPI GoldStar Contractor for companies, Rating Program for raters, and BPI Product Listing for manufacturers) and one certificate (Building Science Principles). BPI Certified Professionals hold over 18,000 active certifications supported by 115 BPI Test Centers and 340 Proctors.

### **1. Demonstration of Impartial Governance**

**• 501(c)(3) or 501(c)(6) not-for-profit corporation status, with a Board of Directors or Executive Committee with a diverse representation of interests; and/or**

**Comment:** Organizations that have a membership by fee component, typically 501(c)(6) not-for-profit corporations and some 501(c)(3) should not be eligible to participate as a VOO since they cannot demonstrate impartiality per the operating structure and demonstrate a conflict of interest. These organizations are required to fulfil members needs and are membership driven and classified as:

Business leagues - A business league is an association of persons having some common business interest, the purpose of which is to promote such common interest and not to engage in a

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regular business of a kind ordinarily carried on for profit. Trade associations and professional associations are business leagues, must receive meaningful membership support with their efforts directed to promoting the common economic interests of all commercial enterprises in a given trade community.

Chambers of commerce - Composed of the merchants and traders of a city to promote the common economic interests of all the commercial enterprises in a given trade community.

Real estate boards - Consists of members interested in improving the business conditions in the real estate field. It is not organized for profit and no part of the net earnings inures to the benefit of any private shareholder or individual.

Boards of trade - Consists of persons engaged in similar lines of business and typically formed to regulate the sale of a specified commodity to assure equal treatment of producers, warehouse workers, and buyers.

***In addition, the VOO must demonstrate, at a minimum, the following impartial governance practices:***

***• The policies and procedures under which the VOO operates, and the administration of them, shall be non-discriminatory. Procedures shall not be used to impede or inhibit access to the ENERGY STAR certification program for homes and apartments***

**COMMENT:** This section needs to be expanded to include products, processes and/or procedures developed and supported by a VOO that inhibit or impede other VOO's access to products, processes and/or procedures adopted by the EPA and or Code to carry out the ENERGY STAR Program or meet minimum code requirements.

BPI appreciates the opportunity to provide comments on the Draft revised Verification Oversight Organization (VOO) Application for the U.S. Environmental Protection Agency's ENERGY STAR Certified Homes Program. Please contact me directly at 518-698-8518 or [jjones@bpi.org](mailto:jjones@bpi.org) should you have any questions regarding this letter or these comments. BPI looks forward to working with, and to engage with, the EPA and ENERGY STAR Certified Homes Program.

Sincerely,



John Jones

National Technical Director

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